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## NOTICE OF ALLOWANCE AND FEE(S) DUE

48233 7590 03/09/2009

SCULLY, SCOTT, MURPHY & PRESSER, P.C.  
400 GARDEN CITY PLAZA  
SUITE 300  
GARDEN CITY, NY 11530

EXAMINER	
SHRESTHA, BIJENDRA K	
ART UNIT	PAPER NUMBER
3691	

DATE MAILED: 03/09/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,543	11/29/2001	Helmut Scherzer	DE920000042US1 (20791)	7268

TITLE OF INVENTION: AGING OF ELECTRONIC PAYMENT UNITS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	06/09/2009

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

**HOW TO REPLY TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

## PART B - FEE(S) TRANSMITTAL

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

### **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,543	11/29/2001	Helmut Scherzer	DE920000042US1 (20791)	7268

TITLE OF INVENTION: AGING OF ELECTRONIC PAYMENT UNITS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	06/09/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHRESTHA, BIJENDRA K	3691	705-041000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
<input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  <input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. <b>Use of a Customer Number is required.</b>	1 _____  2 _____  3 _____

### 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

### 4a. The following fee(s) are submitted:

- Issue Fee
- Publication Fee (No small entity discount permitted)
- Advance Order - # of Copies \_\_\_\_\_

### 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- A check is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

### 5. Change in Entity Status (from status indicated above)

- a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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SCULLY, SCOTT, MURPHY & PRESSER, P.C. 400 GARDEN CITY PLAZA SUITE 300 GARDEN CITY, NY 11530				SHRESTHA, BIJENDRA K
ART UNIT		PAPER NUMBER		
3691				DATE MAILED: 03/09/2009

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1480 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1480 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/997,543	SCHERZER, HELMUT	
	<b>Examiner</b>	<b>Art Unit</b>	
	BIJENDRA K. SHRESTHA	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 11/05/2008.
2.  The allowed claim(s) is/are 5-9 and 12-15.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_.

/Hani M. Kazimi/  
Primary Examiner, Art Unit 3691

**EXAMINER STATEMENT**

1. This action is responsive to the amendment filed on 11/05/2008. Of the original claims 1-15, claims 1-4 and 10-11 have been cancelled by applicants' amendment. Therefore, claims 5-9 and 12-15 are under consideration for prosecution of this application.

***Summary of this Office Action***

2. Applicants' arguments filed on 11/05/2008, and examiner's amendment have been fully considered, and discussed in the next section below, are deemed to be persuasive. Therefore, claims 5-9 and 11-15, are deemed to be allowable over the prior art of record, and applicants' request for allowance is respectfully granted.

**EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

4. Authorization for this examiner's amendment was given in a telephone interview with attorney Eunhee Park (registration # 42,976) on December 12, 2008. The application has been amended as follows:

1-4. (Cancelled)

5. (Previously Presented) An electronic purse data carrier for performing monetary transactions, comprising

a storage means for storing one or more payment units each having a respective monetary value, each of said payment units comprising an age information valuable for delimiting the use of the payment unit, and each of said payment units having a respective unique payment unit-ID, in which said age information reflects the extent of transactional use of the respective payment unit, and in which said age information represents a date information;

a processor for read and/or write access to said storage means, and means for updating said age information whenever a transaction has been performed with a respective payment unit;

means for splitting a parent payment having given non-minimum parent non-minimum monetary value into a plurality of child payment units each having a child monetary value smaller than the parent value, the sum of child monetary values being the same as the parent monetary value, and means for transferring a respective age information from said parent unit to the plurality of child payment units, means for joining a plurality of single payment units having a given total monetary value into a joined payment unit having a corresponding same monetary value, and means generating a resulting age information for said joined payment unit according to a predetermined rule, said means for transferring a respective age information further excluding said one or

*more payment units having a monetary value smaller than a predetermined value from inheriting age information, said means for transferring a respective age information further excluding said one or more payment units that have exceeded a predetermined change threshold age level from a split or join process.*

6. (Original) *The carrier according to claim 5, further comprising means for generating a patching pattern for splitting and/or joining payment units according to storage requirements present on the carrier.*

7. (Original) *The carrier according to claim 5, further comprising means for excluding a payment unit from an intended split or join process if said payment unit has exceeded a predetermined change threshold age level.*

8. (Original) *The carrier according to claim 7 further comprising a plurality of payment units of different monetary value.*

9. (Previously Presented) *The carrier according to claim 5 further comprising means for storing personal Identification Data associated with one or more payment units.*

10. - 11. (Cancelled)

12. (**Currently Amended**) *A method for managing electronic payments with an electronic purse data carrier, comprising the steps of:*

*checking by a processor for each transaction if the age information of a payment unit stored on a storage device being part of the transaction has exceeded a predetermined transaction age threshold level, and restricting the use of a payment unit with an exceeded transaction age threshold level:*

*splitting by the processor a parent payment unit having a given non-minimum parent monetary value into a plurality of child payment units each having a child monetary value smaller than the parent value, the sum of child monetary values being the same as the parent monetary value, and transferring a respective age information from said parent unit to the plurality of child payment units, joining a plurality of single payment units having a given total monetary value into a joined payment unit having a corresponding same monetary value, and generating a resulting age information for said joined payment unit according to a predetermined rule, said step of transferring a respective age information further excluding said one or more payment units having a monetary value smaller than a predetermined value from inheriting age information, said step of transferring a respective age information further excluding said one or more payment units that have exceeded a predetermined change threshold age level from split or join process.*

*13. (Original) The method according to claim 12, comprising the steps of using an age counter mechanism for checking the age information of a payment unit, the counter mechanism being implemented by encrypting a target number x, by successively applying, i a total of m-times, a private key to a source key and the respective application result, said source i key representing the unused age information, said target number x being the result of applying, a total of n-times, a public key to said source key, on each payment transaction applying said public key on said age information yielding a respective current age data, and checking for each transaction if the age information of a payment unit being part of the*

*transaction corresponds to the target number x.*

*14. (Original) The method according to claim 13, in which repetitive application of the public key to said source key, and the respective application results yields a monotone varying function with a transaction age threshold value corresponding to said target number x.*

**15. (Currently Amended)** A computer program product stored on a computer usable medium comprising computer readable program means for causing a computer to manage electronic payments with an electronic purse data carrier, where the carrier stores age information corresponding to payment units stored thereon, the computer program product causing the computer to perform the steps of:

*checking by a processor for each transaction if age information of a payment unit stored on a storage device being part of the transaction has exceeded a predetermined transaction age threshold level, and restricting use of a payment unit with an exceeded transaction age threshold level:*

*splitting by the processor a parent payment unit having a given non-minimum parent monetary value into a plurality of child payment units each having a child monetary value smaller than the parent value, the sum of child monetary values being the same as the parent monetary value, and transferring a respective age information from said parent unit to the plurality of child payment units, joining a plurality of single payment units having a given total monetary value into a joined payment unit having a corresponding same monetary value, and generating a resulting age information for*

*said joined payment unit according to a predetermined rule, said step of transferring a respective age information further excluding said one or more payment units having a monetary value smaller than a predetermined value from inheriting age information, said step of transferring a respective age information further excluding said one or more payment units that have exceeded a predetermined change threshold age level from a split or join process.*

### ***Conclusion***

Applicant's arguments filed November, 5, 2008 are deemed persuasive. The claimed invention is directed to an electronic purse data carrier (i.e. smart card) which carries out payment transactions and manages electronic payments. The claimed invention includes the limitation of "splitting by the processor a parent payment unit having a given non-minimum parent monetary value into a plurality of child payment units each having a child monetary value smaller than the parent value, the sum of child monetary values being the same as the parent monetary value" which is not taught by the cited art of record (Curry, Pat. No. 5,949,880, Kingdon, Pat. No. 6,615,193, Wallace, Pat. No. 5,988,497 and Teicher, Pat. No. 6,199, 946). This limitation is found in all of the independent claims 5, 12, an 15.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bijendra K. Shrestha whose telephone number is (571) 270-1374. The examiner can normally be reached on 8:00 AM-4:30 PM (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BKS/3691

/Hani M. Kazimi/  
Primary Examiner, Art Unit 3691